



**MINUTES OF THE SPECIAL JOINT MEETING
OF THE HAYWARD CITY COUNCIL/HOUSING
AUTHORITY, City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, April 13, 1999, 8:00 p.m.**

MEETING

The Special Joint Meeting of the City Council/Housing Authority was called to order by Mayor Cooper at 8:00 p.m., followed by the Pledge of Allegiance led by Council Member Hilson.

ROLL CALL

Present: COUNCIL MEMBERS Jimenez, Hilson,
Rodriguez, Ward, Dowling, Henson
MAYOR Cooper
Absent: None

PRESENTATION: Pride in Hayward Award

The Mayor presented The Pride in Hayward Award to the following Hayward Highlands residents: Reginald and Diane Hutchinson, Jack Haemmerlin, Norma Williams, Sundar and Purnima Rajan, as well as Phillip and Janice Owen. She congratulated staff member Sallie Melendez for her excellent formatting in presenting this monthly award.

PUBLIC COMMENTS

Lori Miller McClaran, 27422 Lemon Tree Court, noted that she has not received a response to her previous request. She suggested that Council consider adding to the towing ordinance an amendment that victims whose vehicles have been stolen and recovered do not have to pay for towing fees.

Francisco Abrantes, 22815 Alice Street, enumerated and commented on the various fees and charges on his water billing statement. He also commented on a newspaper article regarding a school superintendent who gave herself a "pay cut." He suggested city officials do the same.

Jason Moreno, 25200 Carlos Bee Boulevard, announced that he has posted on his website information regarding political contributions made to this Council.

CONSENT

1. Approval of Minutes of the Meeting of the City Council of April 6, 1999

It was moved by Council Member Ward, seconded by Council Member Henson, and unanimously carried to approve the Minutes of the Meeting of the City Council of April 6, 1999.

DRAFT

2. Adoption of Living Wage Ordinance

Staff report submitted by City Clerk Reyes, dated April 13, 1999, was filed.

It was moved by Council Member Ward, seconded by Council Member Henson, and unanimously carried to adopt the following:

Ordinance 99-03 "An Ordinance Adopting the Hayward Living Wage Ordinance as Article 13 of Chapter 2 of the Hayward Municipal Code"

3. Approval of Contract for Pilot Commercial Recycling Services

Staff report submitted by Deputy Director of Public Works Ameri, dated April 13, 1999, was filed.

It was moved by Council Member Ward, seconded by Council Member Henson, and unanimously carried to adopt the following:

Resolution 99-052, "Resolution Authorizing the City Manager to Execute a Contract with San Leandro Recycling for Pilot Commercial Recycling Services"

HEARINGS

4. Introduction of an Ordinance Regarding Operation of Tow Companies in the City of Hayward

Staff report submitted by Sergeant Lowe, for April 13, 1999, was filed.

Police Chief Calhoun made the staff report and responded to questions regarding vehicles that are stolen and recovered and the procedures involved in routine towing processes. He also responded to questions regarding the selection of towing companies. There was discussion on the procedure for towing service on the "No Parking" rule on major streets during rush hour.

Council Member Hilson described his own experience with the recovery of a stolen car and asked whether it might not be possible to waive both City and towing fees for stolen vehicles.

Police Chief Calhoun indicated that the City does waive its fee and that they could discuss this with the tow companies when the contracts are discussed next time.

Mayor Cooper opened the public hearing at 8:39 p.m.



**MINUTES OF THE SPECIAL JOINT MEETING
OF THE HAYWARD CITY COUNCIL/HOUSING
AUTHORITY, City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, April 13, 1999, 8:00 p.m.**

Lori Miller McClaran, 27422 Lemon Tree Court, expressed her concerns against the tow fees.

Jason Moreno, 25200 Carlos Bee Boulevard, suggested that fees be lowered rather than raised.

Mayor Cooper closed the public hearing at 8:43 p.m.

It was moved by Council Member Henson, seconded by Council Member Ward, and unanimously carried by all present, to introduce the following:

Ordinance 99-__, " An Ordinance Amending Article 8 of Chapter 6 of the Hayward Municipal Code, Towing Operations"

5. Consideration of Increase in Tow Operations Fees

Staff report submitted by Sergeant Lowe, dated April 13, 1999, was filed.

Police Chief Calhoun made the staff report and responded to questions. Towing companies are requesting that the fees be in parity with other cities. Towing companies have indicated that they have incurred increased costs since 1994. He also stated that the tow companies incur costs related to the operational costs. He then stated that the request to increase the costs referred to by the tow companies was submitted verbally rather than in writing.

Council Member Hilson commented that fees should be increased only if costs have increased. He felt that citizens should not be forced to pay higher costs in an unpaved lot.

Mayor Cooper opened the public hearing at 8:57 p.m.

Jason Moreno, 25200 Carlos Bee Boulevard, asked if there has been an increase or decrease in the number of towing companies in Hayward. The response was that the number of companies has remained the same. He urged that the fees be lowered.

Mike Gormly, 17890 Lamson Road, Castro Valley, responded to some of Council questions previously asked. He noted that the price of steel has gone down and towing companies are impacted since people simply abandon their cars and do not redeem them. He commented that some people throw away their cars by leaving them on public streets. He estimated that approximately half of the cars towed are never recovered. Costs of doing business have increased. Larger cities, where the towing company has an exclusive contract, are better able to waive fines to an owner in the case of a stolen vehicle.

Mayor Cooper closed the public hearing at 9:05 p.m.

DRAFT

Council Member Hilson indicated that he would not be voting for the motion. There does not seem to be justification for the increase.

Council Member Rodriguez said she would like to have seen the stolen vehicle waiver addressed.

City Manager Armas said staff would explore the options available regarding the full waiver.

It was moved by Council Member Dowling, seconded by Council Member Jimenez, carried by the following roll call vote to approve the following resolution:

AYES: Council Members Jimenez, Ward, Dowling,
Henson
MAYOR Cooper
NOES: Council Members Hilson and Rodriguez
ABSENT: None
ABSTAINED: None

Resolution 99-053, "Resolution Adopting a Revised Tow
Operations Fees Schedule Pursuant to Hayward Municipal Code
Section 6-8.30"

LEGISLATIVE BUSINESS

6. Request for Park Dedication In-Lieu Fees to Upgrade Play Areas at Birchfield, Old Highlands, Rancho Arroyo and Ruus Parks

Staff report submitted by Landscape Architect/Senior Planner Woodbury, dated April 13, 1999, was filed.

Landscape Architect/Senior Planner Woodbury made the staff presentation and described the play structures that will be installed at the Rancho Arroyo Park. She introduced Eric Willyerd from Hayward Area Recreation Department who responded to questions. He explained that the Americans with Disabilities Act and the U.S. Consumer guideline standards have changed the parameters for playgrounds. He indicated manufacturers are doing a good job of developing playground equipment.

Mayor Cooper opened the public hearing at 9:15 p.m.

Jason Moreno, 25200 Carlos Bee Boulevard, commented on the recent tax increase and where that money is being spent.

Mr. Willyerd explained that the playground project is in excess of \$300,000. HARD is asking for a portion of the set-aside fees that have been charged to the developers in the City as In-Lieu fees.



**MINUTES OF THE SPECIAL JOINT MEETING
OF THE HAYWARD CITY COUNCIL/HOUSING
AUTHORITY, City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, April 13, 1999, 8:00 p.m.**

Al Reynolds, 2547 Erskine Lane, commended HARD for its Rancho Arroyo Park improvements and suggested a ribbon cutting ceremony at its completion.

Mayor Cooper closed the public hearing at 9:19 p.m.

It was moved by Council Member Jimenez, seconded by Council Member Rodriquez, and unanimously carried by all present, to approve the following:

Resolution 99-054, "Resolution Approving Request of Hayward Area Recreation and Park District for Allocation of Park Dedication In-Lieu Fees for the Purpose of Improving Playground Equipment and Other Improvements of Four Park Sites"

Resolution 99-055, "Resolution Amending the Budget Resolution 98-107, as Amended, the Budget Resolution for Fiscal Year 1998-99, Relating to a Supplemental Appropriation of Funds to the Hayward Area Recreation and Park District for the Purpose of Improving Playground Equipment and Other Improvements of Four Park Sites"

7. Resolution Authorizing Amendment of the Restatement of Trust Indenture and Financing Agreement for Housing Authority Variable Rate Demand Multifamily Mortgage Revenue Refunding Bonds, Series 1993A (Huntwood Terrace Apartments)

Staff report submitted by Deputy Director of the Housing Authority Ehrenthal, dated April 13, 1999, was filed.

Deputy Director of the Housing Authority Ehrenthal made the staff report and the reason for the proposed restructuring of the bonds. She indicated that the owner must submit the income verification statement each time a unit is rented to prove that the unit is rented to a low-income tenant.

She then introduced Margaret Stone, financial advisor from CSG Advisors, who described the rate changes and the impact of the Asian economic downturn.

Mayor/Chairperson Cooper opened the public hearing at 9:28 p.m.

Jason Moreno, 25200 Carlos Bee Boulevard, asked how much the owner would gain if this action were approved.

DRAFT

Deputy Director of the Housing Authority Ehrenthal responded that she did not have that information. However, approval of this Housing Authority action will assure the viability of the project and its continuance to provide affordable housing.

Mayor/Chairperson Cooper closed the public hearing at 9:32 p.m.

It was moved by Council/Housing Authority Member Ward, seconded by Council/Housing Authority Member Henson, and unanimously carried by all present, to approve the following:

Housing Authority Resolution 99-01, "Authorizing and Directing the Execution and Delivery of an Amended and Restated Trust Indenture and an Amended and Restated Financing Agreement and of Other Documents and Actions to be Taken in Connection Therewith"

8. Acceptance of 1998 State of the City Report and Annual Growth Management Report

Staff report submitted by Senior Planner Calame, dated April 13, 1999, was filed.

Senior Planner Calame made a brief summary of the highlights of the past year. He then responded to questions and accepted corrections.

Council Member Henson had a question regarding housing trends and commented that ABAG projections indicate that there will be a housing deficit in the future in the Bay Area. He asked that more specific information be included more directly related to the City of Hayward.

Council Member Dowling commented on the Foothill-Mission corridor annexation study and that new City residences are 23% renter occupied. The City should concentrate on home ownership.

City Manager Armas said staff is gathering data to ascertain if it is economically viable to annex the entire area. Most of the data has been collected. The County may not concur with the City's request to annex. There will be a need for residents to provide feedback in order to determine the scope of the annexation.

Council Member Ward referred to the summary of road improvements. In the future, he proposed addressing other types of transportation issues and discussion of how to get more people to utilize public transportation. The public should know that Council is concerned and is indeed addressing these issues.

Council Member Hilson asked whether it is reasonable to assume the projected million new jobs will bring a similar increase in housing needs in the Bay Area. He added that it is incumbent on Council to create local jobs to keep Hayward residents working in Hayward.



**MINUTES OF THE SPECIAL JOINT MEETING
OF THE HAYWARD CITY COUNCIL/HOUSING
AUTHORITY, City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, April 13, 1999, 8:00 p.m.**

City Manager Armas explained that public policies regarding housing and taxation might have to be reevaluated and reconciled to the reality of further growth.

Council Member Rodriquez commented regarding the conservation areas and asked if the projects on Walpert Ridge and South of 92 were included in these calculations.

Senior Planner Calame responded that the charts referred to do include both projects since they are gross numbers.

Mayor Cooper opened the public hearing at 9:57 p.m.

Al Reynolds, 2547 Erskine Lane, commented that the building on Industrial/Clawiter is beautiful and asked whether it had been included in this report.

Mayor Cooper closed the public hearing at 9:58 p.m.

Council Member Ward moved the item, and then commented on a meeting he recently attended at UC Berkeley where the higher density land uses next to existing public transit was recommended to be at least twice what has been presently projected for the City of Hayward.

Council Member Henson, in seconding the motion, added that he is hoping the final document would be posted on the City's Web site as well so that residents will be able to see this valuable information on the direction and accomplishments in the City.

Council Member Rodriquez commented that this document is invaluable, and she urged further annexations and collaborations with Hayward and other cities in the area as well as the school district.

It was moved by Council Member Ward, seconded by Council Member Henson, and unanimously carried by all present, to approve the following:

Resolution 99-056, "Resolution Accepting the State of the City
Report and the Annual Growth Management Report"

COUNCIL REPORTS

There were no Council reports.

ADJOURNMENT

DRAFT

Mayor Cooper adjourned the Joint Meeting at 10:05 p.m.
APPROVED:

Roberta Cooper, Mayor, City of Hayward
Chairperson, City of Hayward Housing Authority

ATTEST:

Angelina Reyes, City Clerk, City of Hayward
Secretary, City of Hayward Housing Authority